

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of:

TAKI TOOO
DCA-03-MM-035

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Wednesday,
June 18, 2003

INTERVIEW OF:

ROBERT BALES

PRESENT:

BOB FORD
BILL WOODY
K. LAWERNSON
P. WOOD
LT. GILMORE

P R O C E E D I N G S

MR. FORD: Today is June 18, 2003. My name is Bob Ford. I am with the National Transportation Safety Board and I will have the others here introduce themselves.

MR. WOODY: Bill Woody, NTSB.

MR. LAWERSON: Ken Lawernson, Coast Guard, Portland, Oregon.

MR. WITHERSON: Pete Witherson, State Marine Board.

MR. FORD: Okay. And I know this is a follow up interview. I apologize, I could not make it in time for the first one. So, if I ask repetitive questions, and it has been covered, I am sure the others can tell me or you can tell me it was covered in depth.

MR. BALES: Well, it wouldn't hurt to cover it again.

MR. WOODY: Wouldn't hurt to cover it again, because --

MR. FORD: Can you tell me a little bit about yourself?

MR. BALES: I am Walter Robert Bales. And I have been fishing out of here for about 25 years, since '78. Prior to running a charter boat, I had a commercial, a little commercial boat that I fished of here with. And then about 15 years ago, I started working on the charter boats as a deckhand and also running my own boat on the off season, on holidays, vacations, stuff like that.

Eight years ago I decided to go ahead and get my captain's license, because I had enough sea time and enough experience to go ahead and do it. And since then I have been running a charter boat. Three years ago, I quit Freightliner and come down here and started running the boat full time. And that is, and that is where we are at right now.

MR. FORD: And the boat is?

MR. BALES: Well, I have run several of them. I have run, I worked for Troller Charters. I run the Big G. I run the Herbie once in awhile. The main boat operator was the Mischief, which was a 38 foot Westport.

MR. FORD: And the D&D --

MR. BALES: And then, when Doug needed a captain here about three years ago, Doug Davis, three or four years ago, I think it was, four years ago, I don't remember the exact time, but Troller sold to somebody else, and I elected to move over with Doug and I have been running the D&D ever since then. I have run the D&D, the Taki, and also the Norwester.

MR. FORD: Which boat have you run, between the D&D and the Taki, which boat have you run the most?

1 MR. BALES: Oh, primarily the D&D.
2 MR. FORD: How many times have you run the
3 Taki?
4 MR. BALES: About, I would have, I don't
5 know for sure. It depends on, it just depended, if
6 we had the D&D out of the water for inspection or
7 something else, I would run it. I would say
8 probably 10 to 12 times.
9 MR. FORD: A dozen times.
10 MR. BALES: Yeah, I am not, I am not
11 positive about that.
12 MR. FORD: Okay. Can you tell me the
13 handling differences, anything you could see or feel
14 that you knew you were operating the Taki or the
15 D&D?
16 MR. BALES: Well, it is basically the same
17 boat, because they both are Martitecs, and they
18 would come out of the same mold. The only
19 differences is the D&D, or the Taki Too had a little
20 bit more horsepower, so therefore, it was a little
21 bit faster. And the flying bridge made it a lot
22 more easier to look ahead and see what was
23 happening.
24 MR. FORD: The flying bridge on the Taki?
25 MR. BALES: Yeah, on the Taki Too, yeah.
26 Nice boat to operate.
27 MR. FORD: Okay. And on the morning of June
28 14, what were you doing, you were operating the --
29 MR. BALES: I was operating the D&D. And we
30 had about 17 passengers plus two crew. And we were
31 going fishing.
32 MR. FORD: Okay. In your own words, can you
33 tell me what happened with your boat from the time
34 you departed until you got outside and heard about
35 the Taki had capsized?
36 MR. BALES: Well, we sat around by the tower
37 there, the Coast Guard tower, for about 45 minutes
38 to an hour. I was watching the swells, counting the
39 swells, seeing where everything was, you know, what
40 was going to happen because the longer I sit there,
41 of course, the flatter the bar was going to get
42 because we were getting closer to flat tide, low
43 flat tide. And, and that is what I sit there for
44 about 45 minutes. I thought it was about 7:30 when
45 I crossed the bar, but the tower said it was about
46 seven o'clock. So, I was about 25 minutes off. I
47 wasn't watching my watch.
48 I think, Bill, or maybe you told me,
49 somebody said --
50 MR. WOODY: I didn't, I don't believe I did.
51 MR. BALES: Somebody said when we were at
52 the other meeting, that it was, that I was about 25
53 minutes off.
54 MR. FORD: Okay.
55 MR. BALES: But, that is not too bad.

1 MR. FORD: You departed the marina before
2 the Taki?
3 MR. BALES: Yes.
4 MR. FORD: Okay. And so you were along side
5 the jetty there when the Taki came and you both kind
6 of jogged.
7 MR. BALES: Yeah, I was sitting there
8 looking at it, and then he come up and we, I spaced
9 it and sometimes, he circles and kept looking at it
10 this way or you know, going in a circle around it.
11 I usually like to sit and watch it so I, I don't
12 know, I just feel more comfortable if I can see
13 everything that is ahead of me.
14 MR. FORD: Okay.
15 MR. BALES: And every once in awhile, the
16 boat would turn because we had a tide going out and
17 a single boat doesn't sit in one spot and I would
18 have to make the circle and go back around and come
19 back and park again. And that is what I did until I
20 was ready to make my move, and when I was, I eased
21 my way on out, and obviously went on out.
22 MR. FORD: And you felt comfortable though
23 that you were seeing the break in the swells from
24 where you were sitting?
25 MR. BALES: Yes.
26 MR. FORD: Could you give me an idea of how
27 much of a hole you felt you had?
28 MR. BALES: I had, when I crossed the bar, I
29 felt I had about a six, a six foot plus break. I
30 was going to have to cross sometime between then and
31 then when I got outside. Okay. And the reason I
32 felt that I was, because I was watching them break,
33 but every once in awhile they wouldn't. So, there
34 is always the chance you are not going to have to go
35 across them. But, if it is there, you are prepared
36 for it and you can make your move whichever way you
37 want to go.
38 MR. FORD: And would you say this would be,
39 how many times had you faced conditions like this?
40 MR. BALES: Oh, this is, oh, four or five
41 times.
42 MR. FORD: Have you ever gone out in worse
43 conditions?
44 MR. BALES: Yes, I have as a matter of fact.
45 But, the worse condition is not saying that bar was
46 rougher, because I am not sure about that. It was,
47 the wind was blowing and it was really nasty and it
48 was dark and of course, I got as far as the Green --
49 the
50 T -- I guess it was, and we turned around and come
51 back. But, it was really nasty that day. This was
52 nothing like that. I wouldn't have went if the
53 ocean wouldn't have been flat. If it had blown out
54 there, we would have come back in.
55 MR. FORD: Okay.

1 MR. BALES: There would have been no, but
2 the ocean was flat, so there is no sense to come
3 back.

4 MR. FORD: Okay. Could you maybe just, I
5 know it is not the best reproduction, where you can
6 draw out the basically how you departed, how side?

7 UNIDENTIFIED SPEAKER: I have got one --

8 MR. BALES: Yeah, because this is got
9 numbers right where I can't see it.

10 MR. FORD: Okay.

11 UNIDENTIFIED SPEAKER: Do you want the
12 lights on?

13 MR. BALES: No, this is fine. Let me get
14 myself orientated to where we are at here.

15 (Pause.)

16 MR. BALES: Here is Twin Rocks. Oh, right
17 here, this is right here then.

18 MR. FORD: Well, the jetties are right here.

19 MR. BALES: Oh, here it is down here.

20 MR. FORD: Yes.

21 MR. BALES: Oh, I was looking right in
22 there, that is alin(ph), no, it isn't either.

23 UNIDENTIFIED SPEAKER: No, is one of the
24 spring lights.

25 MR. BALES: Oh, okay, here we go, down here.

26 UNIDENTIFIED SPEAKER: There is your jetties
27 right there.

28 MR. BALES: Oh, okay, here we go, clear down
29 to the bottom.

30 UNIDENTIFIED SPEAKER: Yes.

31 MR. BALES: I am sorry, I didn't see it down
32 there. Okay. The tower is right here. Right in
33 there is where I was sitting, between here and here.
34 Here and here, I have drawn a little marks on it.
35 And right in this area here is where I sit most of
36 the time. And then I come out this way, right in,
37 that would be about right.

38 (Pause.)

39 MR. BALES: And then there was a swell I
40 think this way, and then on out this way. I was
41 probably about, probably about right in here, when I
42 heard that there was a problem. The first thing I
43 heard and I am not sure I heard it correctly.

44 MR. FORD: Just a second. Would you just
45 point one where you heard --

46 MR. BALES: Oh, point one.

47 MR. FORD: Right. And then --

48 MR. BALES: Yeah, okay.

49 MR. FORD: And mark point two where you knew
50 you had cleared everything and you were out in --

51 MR. BALES: Oh, I would be right back in
52 here.

53 MR. FORD: Right back and once you crossed
54 that --

55 MR. BALES: Yeah, once I get off the bar,

1 because it is, there is no water through here. This
2 is, there is just very little water through here.
3 So, when you, when you have no water, you get off
4 the bar quickly as you possibly can. Here is the,
5 actually, you know, that is pretty close, yeah.
6 Here is the little S buoy they just put in, there
7 are rocks here, right in this area, and so to come
8 out of there, you have to come this way, you know,
9 so you have to get off the bar as quickly as
10 possible.

11 MR. FORD: Okay. Now as you are sitting
12 inside, in the jetty there, that is how you are
13 timing the swells as it bounces the boat and then
14 you say, okay, I have timed them, now I have a hole,
15 is that --

16 MR. BALES: Right.

17 MR. FORD: I don't want to put words in your
18 mouth.

19 MR. BALES: No, what I do, and I am sure
20 everybody else does the same thing, you sit there
21 and you can look out there quite a ways. And you
22 can see them when they are breaking, how big they
23 are, and you know that, you know they run a series
24 of seven, most of the time, and the big one and then
25 they get smaller and smaller, smaller and it starts
26 all over again. And so, you know about where you
27 want to go, when it gets to that point, you watch
28 them a couple, three times. If they stay the same,
29 you make, you know, you know what you have got to
30 do.

31 MR. FORD: Okay. First off, did you see any
32 debris in the water?

33 MR. BALES: I heard, because we have the
34 radios on obviously, I heard the Oakland Pilot and
35 the Norwester talking about them, I didn't see any
36 debris until I got across the bar, or across, out
37 here, at this point two here. There was some logs
38 in the water. And I can't tell you how big they were
39 because I seen them and of course I just go around
40 them, you know.

41 MR. FORD: I want to give you a wide open
42 shot at this. Since you have operated both boats
43 and you were the last guy to make it, can you give
44 us any idea, any, it is speculating, we realize
45 that, could you speculate on what you think could
46 have happened?

47 MR. BALES: Honestly, I thought and I just
48 cannot understand what could have happened. The
49 only thing that could, that could possibly have
50 happened is that when Doug made his move to come
51 across the same as I did, this swell that come in,
52 was bigger than what it was the last time he looked
53 at it. And it caught him sideways. I cannot, I
54 can't speculate. I just, I don't, I thought and
55 thought about it and I have no idea what could have

1 went wrong.
2 MR. FORD: And you knew Doug pretty well.
3 MR. BALES: Yeah, I have known Doug for
4 several years.
5 MR. FORD: Physical conditions and --
6 MR. BALES: Good physical, yeah. He is a
7 good captain.
8 MR. FORD: How about eyesight?
9 MR. BALES: As far as I could tell, he wore
10 glasses when he needed to read and stuff. He had an
11 extra pair on the boat.
12 MR. FORD: Reading glasses.
13 MR. BALES: Yeah, reading glasses and, you
14 know, for close up or, but, as far as I know his
15 eyesight was as good as, as good as mine.
16 MR. FORD: Okay. You have a chart plotter
17 and the information is not retrievable, is that
18 correct?
19 MR. BALES: Well, if you guys can get it off
20 there, I don't know if they can go back into it. We
21 tried, didn't we?
22 MR. FORD: After this, can we go back there?
23 MR. BALES: Oh, certainly, you bet, no
24 problem.
25 UNIDENTIFIED SPEAKER: And the boat hasn't
26 moved since --
27 MR. BALES: I have not, it is not moved
28 since I, since the other day when I came in and you,
29 guys, come down. And didn't I say something about
30 the plotter at the meeting we had across the street
31 over there?
32 UNIDENTIFIED SPEAKER: You did.
33 MR. BALES: Okay. I was sure I had said
34 something about it. And if I had known then that
35 you wanted to look at it, I would have never even
36 turned it on, I would have left it alone. But, it
37 has, it only has so much memory, and then it starts
38 back here at Point A and just clears out the last
39 batch and goes, you know, keeps right on the track.
40 So, we had it right there that day, if I had only
41 known. Sorry, that I don't have.
42 UNIDENTIFIED SPEAKER: Could I ask him a
43 question just to follow up on this?
44 MR. FORD: Yes.
45 UNIDENTIFIED SPEAKER: While we are talking
46 about the chart plotter.
47 The position, if you recall, the track
48 looks like a westerly track from, away from the bar,
49 it was a westerly track and then there was an almost
50 90 degree turn at starboard for about 3-5-0 or 3-6-
51 5.
52 MR. BALES: That is the way it was. Right.
53 UNIDENTIFIED SPEAKER: When we took that
54 latitude and longitude back to the station and we
55 plotted it, it plotted out about this position right

1 here.
2 MR. BALES: That is about where my --
3 UNIDENTIFIED SPEAKER: Can you explain how,
4 how that might relate to the kind of track that we
5 saw on the display?
6 MR. BALES: Yes.
7 UNIDENTIFIED SPEAKER: Coming westerly and
8 then a 90 degree turn.
9 MR. BALES: I guess I don't follow what you
10 are asking me there.
11 UNIDENTIFIED SPEAKER: Okay. Let me try
12 again.
13 MR. BALES: This is a whole different
14 scenario here then it was here.
15 UNIDENTIFIED SPEAKER: That is correct. I
16 understand that. Because, because this point that we
17 pulled off was --
18 MR. BALES: That was flat.
19 UNIDENTIFIED SPEAKER: That was a flat bar
20 crossing.
21 MR. BALES: Right.
22 UNIDENTIFIED SPEAKER: And the position that
23 is plotted here, was the latitude and longitude of
24 that turn that we pulled off of your plotter. And
25 what I am trying to figure out is how to make sense
26 of that, given that if you had made a westerly
27 course for some run before you got that point, you
28 would have been coming out north of the north jetty.
29 MR. BALES: Oh, you mean this is where --
30 UNIDENTIFIED SPEAKER: That was where --
31 MR. BALES: This is where I made my turn.
32 UNIDENTIFIED SPEAKER: That was where that
33 point plotted out.
34 MR. BALES: Then obviously there is, is
35 there something wrong. The plotter is not correct.
36 UNIDENTIFIED SPEAKER: Okay. So, that
37 doesn't make sense to you, either.
38 MR. BALES: You cannot be on the north side
39 of the jetty crossing the bar.
40 UNIDENTIFIED SPEAKER: It doesn't make sense
41 to you, either.
42 MR. BALES: No, no. Not at, but I told you
43 right there, where I stopped it.
44 UNIDENTIFIED SPEAKER: We can go back and
45 check that.
46 UNIDENTIFIED SPEAKER: Okay.
47 MR. BALES: I would check the numbers, I had
48 two GPS on there and we checked the numbers as close
49 as we could while we were there and and they were
50 pretty accurate, to be compared to each other,
51 weren't they?
52 UNIDENTIFIED SPEAKER: I was wondering if
53 there was something that I hadn't thought of that
54 might explain that.
55 MR. BALES: I cannot explain that.

1 UNIDENTIFIED SPEAKER: Okay.
2 MR. BALES: Unless the GPS is off, and I
3 can't tell you that because I use two of them, and
4 they are very close.
5 UNIDENTIFIED SPEAKER: We can look at it
6 again. Okay.
7 MR. BALES: I see what you are saying.
8 UNIDENTIFIED SPEAKER: Yeah.
9 MR. BALES: If that is where I made my turn,
10 I didn't come out of, I was, I come out from, from
11 shorewood instead of the jetties, the bar. I follow
12 you, okay.
13 UNIDENTIFIED SPEAKER: Okay. It didn't make
14 sense to me, either.
15 MR. BALES: No.
16 MR. FORD: Did you ever hear a transmission
17 from the Norwester after he cleared?
18 MR. BALES: He, there was a transmission,
19 well, no, I don't know. I asked him, I called him
20 and asked him how the ocean was and he said the
21 ocean was flat. And so, therefore, I went ahead
22 and, that is when I started to get closer to make my
23 move, because if it wouldn't have been, I wouldn't
24 have went. Because I knew I was going to be stuck
25 out there until noon.
26 MR. FORD: Okay. Were you aware that the
27 Taki had, as far as the breakwater, was making its
28 run out?
29 MR. BALES: No, did not know that.
30 MR. FORD: Okay.
31 MR. BALES: As a matter of fact, after it
32 happened, I asked the passengers if they seen
33 anything, and they said we didn't notice, we didn't
34 him behind us. So, I don't know when he even made
35 his move to come out
36 MR. FORD: Before I ask you a question on
37 life jackets, which is rather explosive issue.
38 MR. BALES: Sure.
39 MR. FORD: Let me give everyone else a
40 chance, operation side questions.
41 MR. WOODY: Okay. Roughly the time you left,
42 and got under way. Do you have any record of that?
43 MR. BALES: We have -- clocks.
44 MR. WOODY: -- clocks. We will want to
45 check the log and see what they are.
46 MR. BALES: No problem.
47 MR. WOODY: Okay.
48 UNIDENTIFIED SPEAKER: You know, I think,
49 you said your time to get was about seven o'clock --
50 MR. BALES: I thought, well, I thought I was
51 there about seven and I thought I heard -- 7:30.
52 MR. WOODY: (inaudible) before you were
53 finally clear, you finally crossed the bar and
54 cleared, estimate a time, that means you are out of
55 there --

1 MR. BALES: Oh, okay. Okay.
2 MR. WOODY: So, that time could have been
3 longer because of the fact that they just --
4 MR. BALES: Right.
5 MR. WOODY: You started -- drifting about
6 and you --
7 MR. BALES: Okay.
8 MR. WOODY: So, probably seven, 7:15 might
9 be a --
10 MR. BALES: Yes.
11 MR. WOODY: You mentioned you can't see the
12 aft of your boat because of the way it is --
13 MR. BALES: Yeah, you will be able to see
14 that when you go down to the boat.
15 MR. WOODY: Okay. And then you mentioned,
16 you heard about, you first thought that, that --
17 MR. BALES: Right, right. So, I eased on
18 out, further out or up higher where, you know, on
19 top of the swells once we were there, so that tower
20 could see me. I thought maybe had lost me in the
21 swells and thought I had tipped over. And when, no
22 other transmissions went on. And then a few minutes
23 later, I heard that, it came over 16, that the Taki
24 Too or a boat had capsized.
25 MR. WOODY: Did you communicate with anybody
26 after that?
27 MR. BALES: I called the tower and asked
28 them if there was anything I could do. Any
29 assistance. And they said I could stand by and look
30 for people in the water and I told them that, I
31 said, I have 19 people onboard, so I am not going to
32 get in, too close to the breaking water.
33 MR. WOODY: I see that you have 17
34 passengers.
35 MR. BALES: Seventeen and two, yes, 19
36 people.
37 MR. WOODY: Okay. Now we heard one person
38 on the pier going out, that says that he saw you
39 going out. He said you do the normal thing, going
40 around, and -- Would that be something that you
41 could think back what you were doing?
42 MR. BALES: When I was going out?
43 MR. WOODY: You were going out, right.
44 MR. BALES: Well --
45 MR. WOODY: You didn't have one steady
46 course.
47 MR. BALES: No, because I am going to come
48 back up over, you are not going to, I am not going
49 to run the trough, so you come back over and then
50 down, so you are not in the trough when the swells
51 come by.
52 MR. WOODY: Explain this to me, because I am
53 not sure, I am not familiar with running specials in
54 any kind of surf.
55 MR. BALES: Okay. Well, if you are in the

1 trough, the trough is the lower part of the --
2 MR. WOODY: Yeah, okay.
3 MR. BALES: Okay. Then that means the water
4 is coming towards you this way, sideways.
5 MR. WOODY: Right.
6 MR. BALES: So you quarter it. You get on
7 the other side of it, and you speed up and get, go
8 further, and then you back off, come up over it
9 again, then is when I went out.
10 MR. WOODY: So, you took the -- waves on
11 your, would that be your port --
12 MR. BALES: Yes.
13 MR. WOODY: Okay. And you -- waves at port,
14 to the wave and then when you come over the top of
15 the wave, what do you do then?
16 MR. BALES: I normally throttle back so I
17 don't bounce, so I don't drop down in case there is
18 nothing on the other side of this.
19 MR. WOODY: Okay. Would you ever reverse
20 your engines?
21 MR. BALES: Would I reverse the engines?
22 MR. WOODY: Yes.
23 MR. BALES: I cannot think of an incident
24 where I would. Only, no, I don't think I ever
25 would. I don't know, I don't know why I would.
26 MR. WOODY: Okay.
27 MR. BALES: I have never been put that I had
28 to do that.
29 MR. WOODY: Okay.
30 MR. BALES: Maybe there is a time when I
31 would have to, but, I haven't never done it yet.
32 MR. WOODY: Okay.
33 MR. BALES: Because --
34 MR. WOODY: And then when you are out in
35 front of the wave, that is when you go to the right?
36 MR. BALES: Right, in that case I would have
37 went to the right.
38 MR. WOODY: Okay. We are just trying to
39 get a sense. Because he said he saw you -- point up
40 and then coming around and that -- and he used his
41 hands, something like coming down.
42 MR. BALES: Yeah. That is exactly right.
43 MR. WOODY: Okay. In the course of a year,
44 how many times do you go to the north and how many
45 times do you go out to the south?
46 MR. BALES: Oh, about 50/50.
47 MR. WOODY: About 50/50/
48 MR. BALES: Yeah because in the summer when
49 the winds starts blowing from the northwest, when
50 there are northerly winds all the time, we will run
51 north. And so, to run north, you go out of the
52 north side of the jetty. In the winter time or the
53 fall, when the winds are from the south, we go south
54 so we can come back with the winds from the south.
55 So, you are on the south side.

1 MR. WOODY: In the winter time it is which
2 way?
3 MR. BALES: South.
4 MR. WOODY: Winds from south in the winter.
5 MR. BALES: Yes.
6 MR. WOODY: Okay.
7 MR. BALES: Winter, fall are normally from
8 the south.
9 MR. WOODY: Okay. And then you go southwest.
10 MR. BALES: Yes.
11 MR. WOODY: What month are we talking about?
12 MR. BALES: Oh, they should be, they are
13 starting to turn now. Anywhere up to about,
14 probably the first of July.
15 MR. WOODY: Okay. Maybe a little sooner, it
16 just depends, because the weather right now,
17 obviously, you know, is unpredictable. It has been
18 coming from both directions.
19 MR. WOODY: Okay. Now, here -- The green
20 buoy here, that green and red, where is that at?
21 MR. BALES: Right here.
22 MR. WOODY: Right there.
23 MR. BALES: The green -- Is that the one you
24 are talking about?
25 MR. WOODY: No, I am talking about the one
26 that is green and red.
27 MR. BALES: Green and red, the F buoy.
28 MR. WOODY: Yes, F buoy.
29 MR. BALES: Yes, right here.
30 MR. WOODY: So you turn before you get to
31 the where the red buoy would be off your say, your
32 port side, you have made your turn.
33 MR. BALES: Oh, definitely.
34 MR. WOODY: Definitely.
35 MR. BALES: Yes. As soon as I, I have it
36 all figured out when I leave, this is where I am
37 going to go there.
38 MR. WOODY: Okay.
39 MR. BALES: I wouldn't, I wouldn't go around
40 this side of it out here, to the outside even going
41 to south because I don't, there is not a lot --
42 MR. WOODY: This is so called mid ground.
43 MR. BALES: That is the mid grounds and
44 there is no water.
45 MR. WOODY: No water is there.
46 MR. BALES: Yes.
47 MR. WOODY: Okay. Well, we have heard people
48 tell us that they believe the Taki Too turned short,
49 or closer to the breaking water and would there have
50 been any reason that day for someone to turn to the
51 breaking water?
52 MR. BALES: I can't, I don't know. I
53 wouldn't think so. I don't know what, I can't tell
54 you what Doug was thinking.
55 MR. WOODY: Right. I understand. I mean,

1 if you were turned closer to the breaking water and
2 proceeded north bound.

3 MR. BALES: No, I haven't. But, that
4 doesn't mean that, well, maybe he seen something
5 there that, that made him. I don't know. I can't, I
6 just can't answer it. I haven't never done it. I
7 wouldn't get that close to it.

8 MR. WOODY: I think you mentioned to us when
9 we talked before, that your boat is --

10 MR. BALES: Yes.

11 MR. WOODY: Have any idea what --

12 MR. BALES: Well, it does for me, because I
13 know I am slower, so therefore, I have to make sure,
14 I am slower, so, I need more time.

15 MR. WOODY: Okay.

16 MR. BALES: So, it does make a difference,
17 yes. A faster boat you can get out of it quicker.
18 Well, I am slower, so I just kind of so to speak
19 bounce over it and go on out.

20 MR. WOODY: Were you able to watch the
21 Norwester go out that day?

22 MR. BALES: No, I was back, I was backed up
23 in the jetties too far to see him.

24 MR. WOODY: Okay.

25 MR. BALES: I seen him when I turned to go
26 out, but once he passed the tip of the north jetty,
27 or the, yeah, the north jetty, I couldn't see him.
28 And I was probably 15, 20 minutes behind him, maybe.
29 I don't know for sure, the tower would have that
30 information.

31 MR. WOODY: Okay.

32 (Pause.)

33 UNIDENTIFIED SPEAKER: Does it make a
34 difference to you that other boats have gone out
35 before you? I mean, I know running the river I have
36 a lot easier time if somebody else has just gone, I
37 can kind of see the reaction of their boat and what
38 it is going on?

39 MR. BALES: Well, it probably would if
40 bubbles were equal.

41 UNIDENTIFIED SPEAKER: I mean, you are
42 looking at down and seeing the reaction to their
43 boats.

44 MR. BALES: Yeah. Oh, yeah, I watch them
45 when they go out, in case there is --

46 UNIDENTIFIED SPEAKER: -- part of what you
47 are seeing is what the waves are doing.

48 MR. BALES: Right. And I, but I try not to
49 let any of that influence me, because I have to make
50 my own decision of what I want to do.

51 UNIDENTIFIED SPEAKER: Right, okay.

52 MR. BALES: I don't feel bad enough that I
53 should have to turn around and come back. I didn't
54 feel, if I would have, I would have turned around
55 and come back. Because there is no pressure on us to

1 go fishing.
2 UNIDENTIFIED SPEAKER: Right.
3 MR. BALES: It is not, everybody has been
4 very, that they don't, there is no pressure. The
5 only thing is you lose five or six, 10 gallons of
6 fuel. You know, I have come back when it is flat.
7 Well, not completely flat, but I remember times that
8 I have come back and turned around and put her at
9 the dock and the rest of the boats went out. But,
10 if I don't feel comfortable, I don't go.
11 UNIDENTIFIED SPEAKER: I didn't understand
12 what you said a few minutes ago about how often you
13 had operated the Taki Too, you said 10 or 15 times.
14 MR. BALES: Ten to 12 times, I think.
15 UNIDENTIFIED SPEAKER: Now, was that in this
16 last season --
17 MR. BALES: No.
18 UNIDENTIFIED SPEAKER: Or over the last --
19 MR. BALES: Over the last three or four
20 years.
21 UNIDENTIFIED SPEAKER: -- three or four
22 years.
23 MR. BALES: Yeah. I don't operate it, you
24 know, it is best if you are operating, if you are an
25 operating of a boat that you have, or I think
26 anyway, and I am sure Mick thinks the same way, that
27 whoever operates it, should operate it. Because you
28 know the boat that way. You know every little
29 idiosyncracies the boat has, if it has any. You
30 know what I mean?
31 UNIDENTIFIED SPEAKER: Yes. Now when was
32 the last time you were called to operate the Taki
33 Too?
34 MR. BALES: Oh, I don't remember if I, I
35 operate it this, I don't, last year.
36 UNIDENTIFIED SPEAKER: It was last year.
37 MR. BALES: In the last year, yes. I don't
38 think I operated it this year, pretty early in the
39 season.
40 UNIDENTIFIED SPEAKER: You have --
41 MR. BALES: Yeah, I --
42 UNIDENTIFIED SPEAKER: It was after Spring
43 break.
44 MR. BALES: Right. And so -- and, no,
45 because last year we had D&D out of the water for
46 awhile.
47 UNIDENTIFIED SPEAKER: Okay.
48 MR. BALES: Her inspection and such and a
49 couple of trips come up and I operated it then.
50 UNIDENTIFIED SPEAKER: Okay.
51 MR. BALES: But, most of the time I run that
52 one boat.
53 UNIDENTIFIED SPEAKER: When you operated the
54 Taki Too last year, do you recall if there was any
55 sort of a temporary repair involving the bungee

1 cords and the throttle, either the throttle -- how
2 did it operate at --
3 MR. BALES: No, no.
4 UNIDENTIFIED SPEAKER: There wasn't or you
5 just don't recall?
6 MR. BALES: I don't recall whether there was
7 or not. I don't think so. Because Mick had taken
8 and he just, yeah, Mick replaced all of that stuff
9 this year. So, and it might have been a little bit
10 -- you know, because it was brand new stuff and,
11 but, I mean, I don't know. I don't, I didn't see --
12 UNIDENTIFIED SPEAKER: Okay. I think that
13 is all I have.
14 UNIDENTIFIED SPEAKER: Life jacket, seen in
15 the paper, I am sure you heard about, and I am sure
16 you have an opinion about it. Could you just tell
17 us what your opinion is about wearing life jackets
18 over the bar?
19 MR. BALES: Well, I am going to tell you
20 right now that on the boat I operate, there are
21 going to be some changes made. On the boat I
22 operate, the D&D, the door opens up and so the cabin
23 doors open. So you can go down and out of the
24 cabin. From now on, that door is going to be shut
25 and the life jacket door is going to be open, under
26 all, all -- whether it is in or out, once we get out
27 of there, we will close it back up and open it up.
28 UNIDENTIFIED SPEAKER: When we get down the
29 boat, would you --
30 MR. BALES: I will point that out to you.
31 UNIDENTIFIED SPEAKER: -- what you are
32 going to do and --
33 MR. BALES: I haven't even talked to Mick
34 about this. I just, I thought about it and I
35 thought about it, and I thought about it, and it is
36 the only thing that I could do that it could make
37 people feel more at ease. I am very comfortable
38 with the boat.
39 UNIDENTIFIED SPEAKER: Yes.
40 MR. BALES: It is a very good boat, the D&D
41 is. It is one of the best boats I have operated. A
42 little shorter, a little smaller, not as fast, but
43 it is stabler than the Delta or the Westport. The
44 Delta was pretty good.
45 UNIDENTIFIED SPEAKER: So, they were fairly
46 similar, so then you would say the same thing about
47 the Taki Too?
48 MR. BALES: Right. It was a good boat. It
49 definitely, they both were, excellent boat and good
50 shape.
51 UNIDENTIFIED SPEAKER: How about making it
52 mandatory, that the Government says, you have to
53 wear life jackets going across the bar?
54 MR. BALES: Well, if they did that, it would
55 probably, I don't know, I hate to see them do that,

1 because a lot of people, it scares the hell out them
2 when they have to put on life jackets. So, it
3 doesn't bother me, I mean, I could tell them to put
4 them on, but when you do that, people start getting
5 nervous, "why are we putting them on?" Now, if the
6 Government said they had to do that, then it is a
7 law that you have to put them on. Then they don't
8 have any questions about it. But for us to tell
9 them they have to do it, it just scares the hell out
10 of them.

11 UNIDENTIFIED SPEAKER: Takes the burden away
12 if it is a Government issued --

13 MR. BALES: It definitely does. The only,
14 the only bad thing about it is, them life jackets
15 are not the most comfortable thing in the world to
16 wear. If they do this, they need to come up with
17 some, a life jacket that is comfortable for these
18 guys to put on. See, the other day I had people put
19 on, well, I didn't have them put them on, I asked if
20 anybody wanted them, and about seven or eight people
21 said yes, put them on. The rest of them didn't out
22 of 17. Some people it is like a seat belt, you tell
23 them they are going to wear them and they are just
24 going to say, "I don't want to wear them." So, I
25 don't know if I can, of course, I can enforce it, I
26 am the captain of the boat. You either wear them or
27 we go back to the docks. But --

28 UNIDENTIFIED SPEAKER: Where were the life
29 jackets stowed on the Taki Too?

30 MR. BALES: They were under, in the cabin,
31 under the seats down there.

32 UNIDENTIFIED SPEAKER: Okay. In the cabin,
33 under the seats.

34 MR. BALES: Yeah, he had them, and there
35 was, he just rebuilt all that down there, so I
36 haven't been on it to see exactly where they are all
37 at.

38 UNIDENTIFIED SPEAKER: I have been on it and
39 it is very difficult to tell where the --

40 MR. BALES: Yes.

41 UNIDENTIFIED SPEAKER: Could it, when you
42 are up in the bough area, underneath, were they up
43 in there?

44 MR. BALES: No, they were right out front.
45 As a matter of fact, there was, one of the pieces
46 that were aboard was on the beach, had a sign on it
47 that said, "six life jackets inside" or something
48 like that. So, they were out where you could get to
49 them.

50 (Change of tape.)

51 MR. BALES: It is better to do that than
52 have all the news media that nobody gets the right
53 answers, you know what I mean?

54 UNIDENTIFIED SPEAKER: Right.

55 MR. BALES: Okay. To find out what has

1 happened to the end of the jetties there. We know
2 it mushrooms off. A few years ago, I heard that
3 after the Corps built that, built that back up, that
4 they were going to come back out and put a cement
5 cap over the face of it. Over where the water
6 wouldn't wash them away. Now, that was only what I
7 heard, and I didn't, but it never did happen. So,
8 whether it was somebody's imagination or you know,
9 or what, I don't know. But, that may keep it from
10 washing away, if it did, maybe the, the sea, the
11 rivers that come through here would keep that
12 flushed out. But, if you go up on the hills here,
13 on the low tide or on a tide, you can see which way
14 the current runs here. When it comes out of here,
15 it turns and goes right south like that. That is
16 the way it goes.

17 UNIDENTIFIED SPEAKER: Yes.

18 MR. BALES: And so, this should stay flushed
19 out. And I think that is the reason that it flushed
20 out right between where the jetties have washed off,
21 and where they put the -- It is because that keeps
22 flushed out. Nothing to flush it this way. Nothing
23 to go north. So, I don't, I can't tell you, I am
24 not an engineer. And I am not going to try to tell
25 you. I know if they dredge all that, they would
26 have to probably go out pass the green can, because
27 this is really shallow in here. I mean, if you go
28 down there on any kind of a tide, that you have low
29 water, you are going to see rollers, big rollers run
30 right through the mid water here. And I don't think
31 the Coast Guard could run their boats through there.
32 And it is really hard for, and for these little
33 guys with the PCs and stuff, they come down twice a
34 year, they don't know that. I mean, hell, they get
35 out there and, and a lot of them don't even have
36 radios. You can't even tell them to get out of
37 there, you know, I have heard people holler, the
38 Coast Guard come and get out of them and stuff, but
39 --

40 UNIDENTIFIED SPEAKER: Have the conditions
41 worsened over the years?

42 MR. BALES: Oh, definitely have, yeah, they
43 are definitely worse than they were years ago.

44 UNIDENTIFIED SPEAKER: Okay.

45 MR. BALES: But, I don't, like I was telling
46 these guys, that there is not enough money there to,
47 I don't think the Corps can afford to do it. It
48 would be nice. Because it would sure ease up a lot
49 of pressure off of us, you know, if we didn't have
50 to go watch everything, well, you have to watch it
51 anyway, I mean, you, what I want to say, it is less
52 dangerous. It makes it more easier for us, I should
53 say.

54 UNIDENTIFIED SPEAKER: If I could just get
55 you to sign and initial that. Because I don't have

1 anything else.
2 MR. BALES: Where, anyplace here?
3 UNIDENTIFIED SPEAKER: Anywhere.
4 (Pause.)
5 MR. FORD: Thank you very much.
6 MR. BALES: Thank you.
7 MR. FORD: Anyone else have anything?
8 MR. BALES: Does that explain, do you see
9 enough there, do you mean more or what?
10 MR. FORD: No, I think that definitely
11 helps.
12 MR. BALES: Okay. And that is just kind of a
13 guess, you know, because I am looking, I am not
14 looking at the, as far as I can tell that is pretty
15 close to where I made my move and stuff. I mean, it
16 may not be exact.
17 MR. WOODY: -- ask you to make sketch,
18 something like that, based on your recollection, you
19 might recall it differently, so I don't want to
20 touch your memory, but --
21 MR. BALES: Let's see what do we have here?
22 MR. WOODY: -- the two jetties and --
23 MR. BALES: Where is --
24 MR. WOODY: The tower?
25 MR. BALES: Yeah, what you have here, this
26 is not D&D --
27 UNIDENTIFIED SPEAKER: That is somebody
28 else's sketch.
29 UNIDENTIFIED SPEAKER: -- interpretation.
30 MR. WOODY: You know where you are.
31 MR. BALES: Oh, no, this is not correct.
32 MR. WOODY: Okay.
33 MR. BALES: I mean, now at one point in time
34 that could have been correct, because like I said,
35 we move around there, so at one time somebody could
36 have seen it that way.
37 UNIDENTIFIED SPEAKER: Yes, right.
38 MR. BALES: But, that isn't the way it was
39 when I went out.
40 UNIDENTIFIED SPEAKER: Okay.
41 MR. BALES: The Norwester was sitting there,
42 the Oakland Pilot was sitting about there. And they
43 tried to maintain about there. And Doug tried to
44 move the Taki Too, it was behind me this way. He
45 was trying to -- ran circles like that. The
46 Norwester went, the Oakland Pilot went out and I
47 kind of moved up into where I could see probably,
48 let's see, I think right in here is about where the
49 green flasher is at. It is probably pretty, pretty
50 close to my recollection right there and of course,
51 I just stayed back there and I never got real close
52 to them, to the other two boats because you have got
53 to give them room to move and stuff, so, I think
54 that is probably where --
55 UNIDENTIFIED SPEAKER: When you went out,

1 you went out -- beach where the --
2 MR. BALES: About where the, right in here,
3 towards the center. I like to be in the center so I
4 can see. And it gives, it is more time, I have to
5 run further this way to the north or the south, but
6 I can, I feel I can see more. If you are over tight
7 to the jetties, you can't see here. If you are out
8 here, I can see up into here, so to speak, you know
9 what I mean? And I come up and I would come up
10 probably about right in here, I would have to think,
11 which is about where I crossed because there are
12 some rocks and stuff right through here. I guess,
13 it mushrooms back and if you look at it, you can see
14 how it flattens back out from the water.
15 MR. WOODY: -- the conditions, it looks
16 like they were changing all the time.
17 MR. BALES: Yes.
18 MR. WOODY: Would you ever, would it be
19 possible the conditions like they were that day, to
20 permit you to, where you came out and then make a
21 right turn and go north, strictly north without
22 going over the sand bar? Has there ever been a --
23 MR. BALES: I don't follow you.
24 MR. WOODY: Okay. When you come out, you are
25 like here, when you came out, could you, you made
26 your turn to go like to the north.
27 MR. BALES: Yes, right.
28 MR. WOODY: Would there ever be a point
29 where you, before you went the sand bar where you
30 could stop and just go north?
31 MR. BALES: You mean -- Stop, why would I
32 want to stop?
33 MR. WOODY: -- I should have said -- Would
34 there be a time when you come out, and 200 yards
35 beyond the tip of the north jetty.
36 MR. BALES: Right.
37 MR. WOODY: Make a right turn to put you on
38 a course north, would you ever do something like
39 that?
40 MR. BALES: Oh, yeah, if the bar is flat.
41 MR. WOODY: The bar is flat.
42 MR. BALES: Yeah.
43 MR. WOODY: But, with the conditions that
44 day would be unlikely you would do that?
45 MR. BALES: I probably wouldn't. Of course,
46 it depends, if you have got, it depends on what the
47 swells are coming from. If they are coming from the
48 south, it might have been permissible to do that. I
49 don't know.
50 MR. WOODY: Yes.
51 MR. BALES: I normally would not do that.
52 MR. WOODY: The reason I asked the question
53 is that we observed there near -- said that the Taki
54 Too cleared these jetties, and they couldn't see,
55 after they cleared the jetties, they could see it

1 proceeding out or north. And then we know that it
2 got hit on the port side by the incoming swell.
3 MR. BALES: Right.
4 MR. WOODY: We were just wondering why he
5 would, would be broadsided to the swells at that
6 point?
7 MR. BALES: I don't know if he seen
8 something. But, you know, when they are on the
9 beach, looking at it, it is a whole lot different
10 than when you are in the water.
11 MR. WOODY: I see.
12 MR. BALES: And so they may have, he may not
13 have been, of course, you have the -- I don't know
14 if you recover it or not, because Doug wouldn't, I
15 don't think would have ever turned and went straight
16 into it. I was told one time, I was going through
17 the mid ground where somebody was -- I was way
18 outside of the mid ground, you know. And we come in
19 and of course I know the guy and I wasn't nowhere
20 near the mid ground, he said, well, it sure looked
21 like it. Well, I wasn't, you know, and because --
22 Yeah, it is a whole, it looks a lot different here
23 in water than it does on land. I will guarantee
24 you.
25 MR. WOODY: Okay.
26 MR. FORD: If we can go to your boat, it
27 would be great.
28 MR. BALES: Okay. You bet.
29 MR. FORD: Thank you very much.
30 MR. BALES: If I think of something, I think
31 we have covered it several times. I don't think
32 there is anything I can, I can do again.
33 Okay.
34 (Pause.)
35 (Whereupon, the interview was concluded.)